PLANT PATENT APPLICATION TRANSMITTAL

· PI	For new Non-provisional applications under 37 CFR 1.53(b))	U.S 367	
Attorney Docket No.:	BAL6019P1700US	475	
First Named Inventor:	Dr. Tau San Chou	50	
Title:	Impatiens Plant Named 'Balfusnset'	72	
Express Mail Label No	. EV360023126US		

Mail Stop Patent Application Commissioner For Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

1.

Transmitted herewith for filing is a new plant patent application of inventor(s): Dr. Tau San Chou and Kristen Nicole Gross and entitled: Impatiens Plant Named 'Balfusnset'. For purposes of publication, this patent application is assigned to: Ball Horticultural Company

Application Elements:

- 2. Specification containing nine (9) pages (2 copies required (37 CFR §1.163(b) - in accordance Ø with the preferred arrangement).
- one (1) Sheet of Color Drawing (2 copies required 37 CFR §1.165(b)) 3. \boxtimes Drawings:

Applicant claims small entity status. See 37 CFR 1.163(b).

- 4. Ø Oath or Declaration
 - An executed declaration or oath for the plant patent application including a power of attorney,
 - b. An unexecuted declaration or oath for the plant patent application including a power of attorney:
 - Copy from a prior application (37 CFR 1.63(d), for continuation/divisional with c. No. 15 completed.
 - Signed statement attached deleting inventor(s) named in the prior i. application (see 37 CFR 1.63(d)(2) and 1.33(b).

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- 5. Application Data Sheet.
- Assignment Papers (cover sheet, document(s) and requisite fee). 6. ×
- 7. 37 CFR 3.73(b) Statement (where there is an assignee) Power of Attorney
- 8. English Translation document (if applicable)
- 9. Information Disclosure Statement (IDS), including PTO-1449

		□ Copies of IDS Citations
10.	<u>_</u>	Preliminary Amendment
11.	՛⊠	Return Postcard for PTO Mail Room Date Stamp (should be specifically itemized).
12.	<u> </u>	Certified Copy of Priority Document(s) (if foreign priority is claimed).
13.	□	Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
14.	<u>_</u>	Other
		NOTE: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.
15.	□	If Continuing Application, check appropriate box and supply the requisite information below and in a preliminary amendment: Continuation Divisional Continuation-in-part (CIP) of prior application No. filed Prior application information: Examiner: Group/Art Unit:
	applie of the incor	CONTINUATION or DIVISIONAL Applications only: The entire disclosure of the prior cation, from which an oath or declaration is supplied under Box 4c, is considered as being part disclosure of the accompanying continuation or divisional application and is hereby corated by reference. The incorporation can only be relied upon when a portion has been ertently omitted from the submitted application parts.
Fee	Calcu	lation
16.	ۃ	A check in the amount <u>■</u> \$530.00 for a Large Entity, or <u>□</u> \$265.00 for a Small Entity, to cover the filing fee, is enclosed.
17.	旦	Please charge my Deposit Account No. 04-1644 in the amount of \$
18.	<u>⊠</u>	The Commissioner is authorized to charge payment of the following amounts associated with this communication or credit any overpayment to Deposit Account No. 04-1644: △ Additional filing fees under 37 CFR 1.16 or deficiencies in remittances therefor. Additional processing fees under 37 CFR 1.17 or deficiencies in remittances therefor. □ ONLY if applicant has partially paid the patent issue fee under 37 C.F.R. §1.18, then the deficiency shall be charged to Deposit Account No. 04-1644, and the Commissioner is authorized to so charge the Deposit Account.

19. <u>Correspondence Address</u>:

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Date: December 16, 2003

Attorney's Signature

Lisa V. Mueller, Reg. No. 38,978

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this Plant Patent Application Transmittal, enclosed application, and any other documents referred to as enclosed herein, are being deposited in an envelope with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and addressed to Mail Stop Patent Applications, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Express Mail Label No.: EV360023126US

Date of Deposit:

December 1, 2003

Typed/Printed Name of Person Signing: Barbara Towns

Signature: